

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT**

In re:

**James A. Livingston,
Debtor**

**Chapter 13 Case
09-11329**

**James A. Livingston,
Plaintiff,**

v.

**Indy Mac Bank, FSB and
Federal National Mortgage Association
Defendants.**

**Adversary Proceeding
10-1011**

*Appearances: Rebecca A. Rice , Esq.
Rutland, VT 05701
Attorney for Plaintiff*

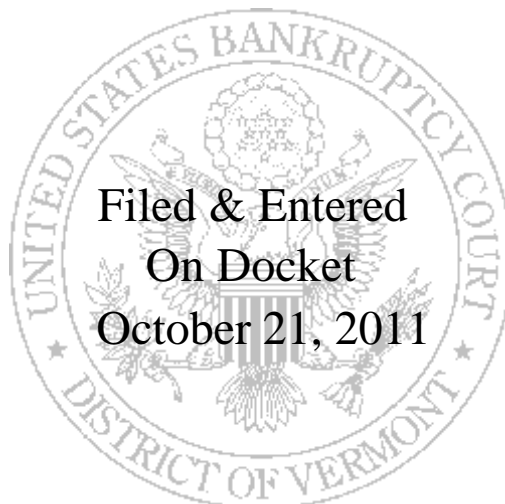
*Robert S. DiPalma, Esq.
Burlington, VT 05402
Attorney for Federal National
Mortgage Association*


**ORDER
GRANTING IN PART AND DENYING PART
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

For the reasons set forth in the memorandum of decision of even date, IT IS HEREBY ORDERED that the motion for summary judgment filed by the Federal National Mortgage Association on June 28, 2011 (doc. # 22) is granted with respect to count 1 of the complaint and is denied with respect to count 2 of the complaint.

SO ORDERED.

October 20, 2011
Burlington, Vermont




Colleen A. Brown
United States Bankruptcy Judge